

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:02-CR-00022-F-9

UNITED STATES OF AMERICA

v.

GENE ANTHONY BROWN, SR.,  
Defendant.

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ORDER

This matter is before the court on Gene Anthony Brown, Sr.'s letter motion [DE-799]. In his motion, Brown requests an early termination of his supervised release. *Id.* at 1.

This court has the authority, pursuant to 18 U.S.C. § 3583(e), to modify or terminate supervised release. 18 U.S.C. § 3583(e) provides:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)—

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice;

(2) . . . modify, reduce, or enlarge the conditions of supervised release, at any time prior to the expiration or termination of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation and the provisions applicable to the initial setting of the terms and conditions of post-release supervision;

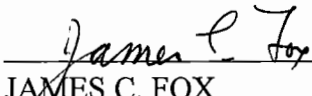
18 U.S.C. § 3583(e)(1)–(2).

A review of the record reveals that Brown has been on low intensity supervision since only November 1, 2016. The U.S. Probation Office does not recommend a case for termination of supervision until the defendant has been on low intensity supervision *for a least a year*. Given

that Brown has served such a short period of time on low intensity supervision, it does not appear appropriate to terminate his supervised release at this time. Consequently, Brown's letter motion [DE-799] is DENIED.

SO ORDERED.

This, the 14 of December, 2016.

  
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JAMES C. FOX  
Senior United States District Judge